

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC., a California
Corporation,

Plaintiff and
Counterclaim-Defendant,

v.

INTERNET SECURITY SYSTEMS, INC.,
a Delaware corporation, INTERNET
SECURITY SYSTEMS, INC., a Georgia
corporation, and SYMANTEC
CORPORATION, a Delaware corporation,

Defendants and
Counterclaim-Plaintiffs.

C. A. No. 04-1199 (SLR)

PUBLIC VERSION

**DECLARATION OF KYLE WAGNER COMPTON IN SUPPORT OF
SRI INTERNATIONAL, INC.'S RESPONSE TO DEFENDANTS'
JOINT MOTION FOR SUMMARY JUDGMENT OF INVALIDITY
PURSUANT TO 35 U.S.C. §§ 102 & 103**

I, Kyle Wagner Compton, declare as follows:

I am an Associate with Fish & Richardson P.C., counsel for Plaintiff SRI International, Inc. ("SRI"). I make the following statements based on personal knowledge.

1. Attached hereto as Exhibit A is a true and correct copy of excerpts from the deposition transcript of Frederick M. Avolio, dated May 18, 2006.
2. Attached hereto as Exhibit B is a true and correct copy of Dr. George Kesidis Rebuttal Report on Validity, dated May 19, 2006.
3. Attached hereto as Exhibit C is a true and correct copy of excerpts from the deposition transcript of Alfonso Valdes, dated March 23, 2006.
4. Attached hereto as Exhibit D is a true and correct copy of excerpts from the deposition transcript of Stephen G. Kunin, dated June 9, 2006.

5. Attached hereto as Exhibit E is a true and correct copy of a presentation by Phillip A. Porras, *EMERALD: Event Monitoring Enabling Responses to Anomalous Live Disturbances*, dated February 5, 1997, bearing the production numbers SRI 105589-105609.

6. Attached hereto as Exhibit F is a true and correct copy of the publication Y. Frank Jou et al., *Architecture Design of a Scalable Intrusion Detection System for the Emerging Network Infrastructure*, Technical Report CDRL A005, dated April 1997.

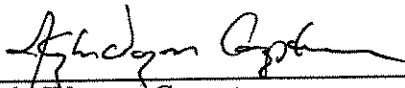
7. Attached hereto as Exhibit G is a true and correct copy of excerpts from the deposition transcript of Y. Frank Jou, dated January 27, 2006.

8. Attached hereto as Exhibit H is a true and correct copy of excerpts from the deposition transcript of Dr. George Kesidis, dated May 25, 2006.

9. Attached hereto as Exhibit I is a true and correct copy of MPEP 609.02 (A) (2).

I declare under penalty of perjury under that the foregoing is true and correct.

Executed this 30th day of June 2006, in Wilmington, Delaware.



Kyle Wagner Compton

CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2006, I electronically filed the **REDACTED –
DECLARATION OF KYLE WAGNER COMPTON IN SUPPORT OF SRI
INTERNATIONAL, INC.’S RESPONSE TO DEFENDANTS’ JOINT MOTION
FOR SUMMARY JUDGMENT OF INVALIDITY PURSUANT TO 35 U.S.C. §§ 102
AND 103** with the Clerk of Court the attached document using CM/ECF which will send
electronic notification of such filing(s) to the following Delaware counsel.

Richard L. Horwitz
Potter Anderson & Corroon LLP
Hercules Plaza
1313 North Market Street, 6th Floor
P.O. Box 951
Wilmington, DE 19899

Attorneys for Defendant-
Counterclaimant
Internet Security Systems, Inc., a
Delaware corporation, and Internet
Security Systems, Inc., a Georgia
corporation

Richard K. Herrmann
Morris James Hitchens & Williams
PNC Bank Center
222 Delaware Avenue, 10th Floor
P.O. Box 2306
Wilmington, DE 19899-2306

Attorneys for Defendant-
Counterclaimant
Symantec Corporation

/s/ John F. Horvath
John F. Horvath